

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 11, 2002 LB 384

is ripe to go before the voters. So I think it can be appealed beyond the Court of Appeals, but that won't hold up a vote.

SENATOR CHAMBERS: So what is being appealed is the determination of value and award. Is that true?

SENATOR QUANDAH: I believe that would be correct, yes.

SENATOR CHAMBERS: Now, when the vote...when this matter is put to the voters, and I see where the statute allows that and you kind of got beyond...ahead of what I was going to do, step by step, the ballot is required to state the amount that's going to be involved in the city taking over whatever it's going to take. Isn't that true?

SENATOR QUANDAH: That is true, yes.

SENATOR CHAMBERS: And if it's submitted to the voters and they vote aye, at a special election 60 percent, at a general election a majority, but at whichever vote, at whichever election a sufficient number say aye, suppose when it's appealed, the finding in...the value, the court reverses. What then becomes of the vote of the people? Well, first of all, if it's reversed and sent back for further proceedings and the city does not abandon its...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...action, or if the appeal was made by the utilities and the utilities want additional action, whatever it is, a new trial, a new determination or whatever, will that action go forward without regard to how the people voted?

SENATOR QUANDAH: I'm not sure I understand what...

SENATOR CHAMBERS: I see where there could be a conflict. I'll put on my light so that you'll have more opportunity than what exists in these few seconds that are left.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Quandah, on the motion to recommit.